

ORDINANCE NO. 33-15 (Amended)

**AN ORDINANCE TO ESTABLISH A PARKING FINE SURCHARGE AND A
PARKING PERMIT SURCHARGE**

WHEREAS, to provide adequate parking and to enhance the parking permitting process, the City of West Lafayette has entered into an agreement with NuPark, LLC, to use its services; and

WHEREAS, in exchange for its services, NuPark, LLC, will assess the City of West Lafayette a charge for every parking fine and parking permit that is processed; and

WHEREAS, the City of West Lafayette has the statutory authority to assess a reasonable parking fine surcharge and a reasonable parking permit surcharge to cover the charges from Nu Park, LLC; and

WHEREAS, at this time, NuPark, LLC, assesses the City of West Lafayette a surcharge in the amount of \$2 surcharge, and it is determined that \$2 is a reasonable parking fine surcharge and a reasonable parking permit surcharge; and

~~WHEREAS, in the interest of government efficiency, the board of public works and safety should have the authority to modify the parking fine surcharge and the parking permit surcharge if and when the need arises, so long as the surcharge amount is reasonable.~~

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that:

SECTION 1. Chapter 44, Section 11 of the West Lafayette City Code is amended to read as follows:

Sec. 44.11. Fines.

(a) The following fines shall apply to violations of this chapter:

~~(a)~~ (1) \$35 for each violation of time duration restricted parking.

~~(b)~~ (2) \$25 for each violation of section 44.08 (unauthorized parking on private property) and section 44.12 (prohibited parking of vehicles in off-street parking areas in commercial zones.)

~~(c)~~ (3) \$50 for each violation of stopping or parking in a tow away zone or stopping or standing in a loading zone in violation of any restrictions on the zone.

~~(d)~~ (4) \$100 for each violation of parking in the traveled portion of the roadway for any reason other than mechanical breakdown, or standing in the traveled portion of the roadway for the purposes of freight loading or unloading, in any business district or any major or minor arterial street.

~~(e)~~ (5) \$40 for each violation for any other violation of this chapter not specified above.

(f) (b) If a written appeal under subsection (g) below (c) or payment for the fine is not postmarked or received by the ~~city clerk treasurer's office~~ **City** within 14 days of issuance of the ticket, the fine shall be double the amount set forth above.

(g) (c) Appeals of parking fines may be filed with the ~~clerk-treasurer~~ **City** within 14 days of issuance of a parking ticket. Appeals filed after this date will not be accepted. The police chief or designee will review the appeal, and concur or deny the appeal under such administrative procedures as the police chief may approve. If this appeal is denied, the person appealing the parking fine must by the date specified on the appeal form, either appear in city court or pay the fine, or the fine will be doubled.

(d) In addition to the fines provided in subsection (a), the City shall assess and collect a parking fine surcharge for each violation in the amount of \$2. ~~The board of public works and safety may, when necessary, adopt a resolution that modifies the parking fine surcharge, so long as the modified surcharge is reasonable.~~

SECTION 2. Chapter 51, Section 9 of the West Lafayette City Code is amended to read as follows:

Sec. 51.09. Permit Fee Schedule.

(a) The fee for Parking Permits for each permit year shall be as follows:

(1) Resident Permit\$-10 each **for a resident permit.**

(2) Replacement of Lost/Stolen Permit....\$-5 each **for a replacement of a lost or stolen permit.**

(3) Reissuance of Permit (upon sale of vehicle, proof of sale and old permit must be provided to City Clerk-Treasurer).....\$-5 each **for a permit reissued after the sale of a vehicle. To obtain a reissued permit, the applicant must provide the City with a proof of sale of the vehicle and the old permit.**

(b) In addition to the parking permit fees provided in subsection (a), the City shall assess and collects a parking permit surcharge for each permit in the amount of \$2. ~~The board of public works and safety may, when necessary, adopt a resolution that modifies the parking permit surcharge, so long as the modified surcharge is reasonable.~~

SECTION 3. Chapter 26, Section 7 of the West Lafayette City Code is amended to read as follows:

Sec. 26.07. Credit Card Processing Fees.

(a) Any fee ~~outlined in West Lafayette City Code Section 26~~ **or fine assessed by the City** may be paid by credit card, in person, over the phone, or by other electronic means.

(b) A credit card processing fee of up to \$5.00 may be charged to cover the real cost of the credit card processing.

SECTION 4. This Ordinance is effective upon adoption.

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If you have questions about this, please contact the Office of the Clerk-Treasurer at clerk@westlafayette.in.gov.
Thank you.